IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frederick L. Merritt, Jr.	)	
	)	
U.S. Patent Application S.N. 09/625,660	)	Attorney Docket No. 0250W/00003U
	)	
Title: COMBINATION ON-LINE	)	Art Unit: 3622
SWEEPSTAKES AND SALES	)	
SYSTEM	)	
	)	
	)	
Filed: July 26, 2000	)	Examiner: Arthur D. Duran

BRIEF OF APPELLANT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.192 and MPEP § 1206, the following brief is submitted in triplicate, a Notice of Appeal being filed on February 4, 2004 for the above-identified application on behalf of the inventor, Frederick L. Merritt, Jr.

(1)   Real Party in Interest

The real party in interest is the inventor, Frederick L. Merritt, Jr.

(2)   Related Claims and Interferences

Appellant is aware of no other pending appeals or interferences that will directly affect, be directly affected by, or have a bearing on the Board's decision in the present appeal.

(3)   Status of Claims

Claims 1-14 stand rejected and are the subject of this appeal.

(4)   Status of Amendments

No amendments to the claims have been proposed or entered.

(5)   Summary of Invention

The present invention pertains to a system that includes an Internet web site employing a

sweepstakes promotion to attract visitors. To enter the sweepstakes, however, visitors are

prompted to provide demographic information, such as age, sex, and household income. The

system then utilizes this information to determine what web sites the visitor should be directed to

and what advertisements to display. Furthermore, and perhaps more importantly, the system also

includes a sales component which is used to provide the sweepstakes prizes.

The operation of the system is best explained and summarized by an example: User A has

a computer that he would like to sell for $500. Such a user is termed a "prize presenter." Since

User A has been unable to sell the computer at the price he wants, he decides to list the computer

on the web site that hosts the present invention, listing $500 as the "selling" price of the

computer. User B visits the preferred web site and is interested in the computer. User B thus

registers as a sweepstakes "player," entering various demographic information in response to

questions presented by the system. After registering, User B clicks on the listing for the

computer and is re-directed to an advertiser's web site, this site having been selected based on an

analysis of the demographic information User B entered when registering. User B is now entered into a sweepstakes for the computer. (See Specification at P.5, L.22 – P.6, L.11).

The advertiser to whose web site User B was directed pays for the "hit." If, for example, each advertiser is willing to pay $0.25 for each hit generated by the system of the present invention, after 2000 hits, $500 in revenue would be generated. This is the price User A was seeking for his computer. The sweepstakes for the computer would end, and one of the players entered in this particular sweepstakes would be randomly selected as the winner of the computer. User A is then responsible for delivering the computer to the winner. Once delivery has been verified, User A will receive a check for $500 from the system administrators, the $500 being generated by the advertising revenue associated with the sweepstakes. Of course, in order for the system administrator to realize a profit for providing the sweepstakes and sales services, it is contemplated that each listed item will be marked up at a predetermined rate. (See Specification at P.6, L.12-22).

This system is attractive to advertisers as it efficiently matches advertisements with users falling within targeted demographics. Since advertisers can better direct their advertisements towards certain individuals or segments of the population, the advertisers are likely to pay a higher price per hit. For individuals interested in selling items (i.e., "prize presenters"), the preferred system is an attractive alternative to standard auctions, as the prize presenters can set their price. No negotiation or mandatory acceptance of a bid is necessary. (See Specification at P.7, L.4-10).

To accomplish this functionality, the preferred system included integral databases controlled and managed by a central computer. The USER DATABASE is the storage location for all data about users of the system, whether they be "players," "prize presenters," or

"advertisers." All information and data about prizes offered through the sweepstakes component of the preferred system is stored and maintained in a PRIZE DATABASE, and all information about advertising profiles, that is, all information that defines the target demographic profiles (as established by the advertisers) is stored and maintained in a PROFILE DATABASE. (See Specification at P.13, L.2-10).

As mentioned above, the system is preferably implemented through an Internet web site, and thus users visit the web site to view and enter sweepstakes for the prizes that are "on sale" through the system. If the user locates and would like to play for a particular prize, he would select the PLAY PRIZE icon 60 associated with the prize, as shown in Figure 4, which is reproduced below.
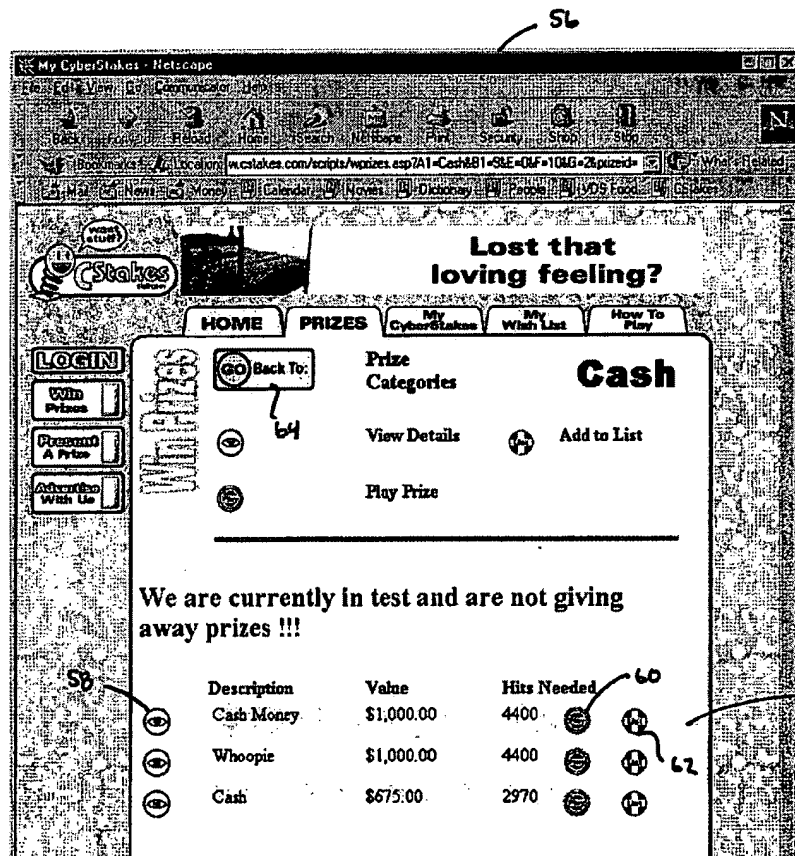

FIGURE 4

Referring to the flow chart of Figure 30, the selection of the PLAY PRIZE icon 60 would

trigger execution of the "PLAYER_MATCH" subroutine at EXECUTE 470. (See Specification

at P.16, L.21 – P.17, L.2). This subroutine, which performs the primary function of the system

of the present invention, is explained with reference to Figure 32. Specifically, this subroutine

matches a user with a selected advertiser. The first step in this subroutine is the determination at

DECISION 488 as to whether the user has logged into the system. Assuming the user has

already logged into the system, the system matches the user with a particular advertiser at

OPERATION 490. In this regard, the system compares the user profile maintained in the

integral USER DATABASE with the preferred or target demographic profiles as established by

advertisers and maintained in the PROFILE DATABASE. The comparison is effectuated by

comparing such data as sex, age, interests, etc. A user is a "perfect match" if he meets all the

criteria of a certain target profile, e.g., a male, college-educated professional, 25-30 years old. If

no perfect match is available, a user may be re-directed to an advertiser that is a close match, i.e.,

meets some but not all of the criteria of a particular target profile. (See Specification at P.18,

L.6-17).

Once the appropriate match has been made, the databases are updated as indicated at

UPDATE DATABASES 492 of Figure 32. Specifically, the USER DATABASE is updated

with information that the particular registered user entered the sweepstakes for the prize; the

PRIZE DATABASE is updated so as to lower the number of remaining hits required before the

prize is given away; and the PROFILE DATABASE is updated reflect that a user was directed to

a particular advertiser's site. Finally, as indicated at REDIRECT 494, the user is re-directed to

the selected advertiser's web site, thus exiting the system of the present invention. (See Specification at P.19, L.8-14).

As described above, once there have been a sufficient number of users to enter the sweepstakes associated with the prize such that a predetermined revenue has been generated by the re-direction of users, the sweepstakes is conducted and one user is randomly selected as the winner of the prize.

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(6) Issues

Whether claims 1-14 are unpatentable pursuant to 35 U.S.C. § 103 over Eggleston (U.S. Patent No. 6,061,660) in view of Dedrick (U.S. Patent No. 5,724,521).

(7) Grouping of Claims

The rejected claims stand or fall together.

ARGUMENT

I.   THE PRIOR ART REFERENCES

U.S. Patent No. 6,061,660 issued to Eggleston describes and claims a "System and Method for Incentive Programs and Award Fulfillment." Specifically, the '660 Patent describes a system and method implemented over a computer network that allows a company to purchase prepackaged or self-built incentive programs. Indeed, the stated objective is to provide a system and method that "permits sponsors to build or purchase incentive programs easily and efficiently, and that provides for convenient tracking of participation and convenient, automated award fulfillment." See Column 5; lines 38-44.

In these incentive programs, targeted consumers are the "users" of the system, and by performing certain activities and satisfying certain criteria, these consumers are given the opportunity to win promotional prizes. See Column 13; lines 45-54. However, it is important to recognize that the prizes awarded to the consumers are not items placed up for sale by other users (i.e., "prize presenters"), but rather are stock retail items selected by the sponsor. See Column 14; line 66 – Column 15; line 8. Indeed, if the sponsor does not provide the prizes itself, it is contemplated that the sponsor choose the prizes from standard catalogs and then "pay for the selected prizes." See Column 15; line 8. In short, the '660 Patent neither teaches nor even suggests the concept of allowing an individual to place a particular item "on sale," with that particular item becoming a prize in a sweepstakes, and then receiving payment from revenues generated by advertising directed to sweepstakes entrants.

In rejecting the claims of the pending application, the Examiner asserted that "Eggleston further discloses that said user is directed to a specific program of a particular advertiser based on said comparison." Applicant respectfully disagrees. The only discussions of advertising

contained in the '660 Patent refer to the use of trademarks or logos of a retailer or sponsor in the game interface. For example, the '660 Patent provides that " incentive programs can include additional benefits to the retailer, such as including advertising or product logos as part of the graphical object viewed by the consumer when playing an incentive program; thus, a scratch-and-win game could, for example, include a branded product logo that appears when the product is won." See Column 13; line 67 – Column 14; line 5. Similarly, "a scratch-and-win incentive program may include the logo or trademark of a company, including the sponsor company, which permits an advertising function directly within the incentive program....It is also possible to include JPEG or GIF images or logos to replace parts of the graphics of third party computer games for inclusion in incentive programs. Images may also be rotated periodically via an image server, so that different images appear in the same graphical portions from time to time." See Column 30; lines 26-42.

Furthermore, the Examiner also asserted that "Eggleston further discloses that...the identifying information related to a sweepstakes player stored and maintained in said first database is compared to the targeting advertising profiles stored and maintained in said third database." Applicant again respectfully disagrees. The '660 Patent does recognize that user activities may be logged for subsequent review, but as for any comparison of identifying information for purposes of directed advertising, the '660 Patent notes only that "[s]ponsors are able to target awards for giveaway by demographic preferences or geography." See Column 42; lines 36-37. In other words, although the identifying information might help sponsors identify attractive prizes, there is no teaching or suggestion in the '660 Patent for using the identifying information for directing users to specific advertisements.

Lastly, although the Examiner repeatedly asserted that "Eggleston further discloses distributing a particular prize once a predetermined threshold is met," the cited excerpt of the '660 Patent only discusses an example in which a user is eligible for entry into a sweepstakes upon accumulating a certain number of "loyalty points." See Column 30; line 64 – Column 31; line 1. As such, the eligibility "threshold" is a user-specific threshold based upon the activities of a particular user. Quite distinctly and as will be further discussed below, the threshold recited in the claims of the present invention is prize-specific in that a particular prize is distributed only after a certain number of users have been re-directed to revenue-generating advertisements.

U.S. Patent No. 5,724,521 issued to Dedrick describes and claims a method and apparatus for providing electronic advertisements. Specifically, the '521 Patent describes a "consumer scale matching process" that allows for a comparison of "the characteristics of the individual end users with a consumer scale associated with the electronic advertisement." See Column 2; lines 6-8. Of particular importance to the present analysis, and as will be further discussed below, one important limitation of each independent claim in the pending patent application is the comparison of user identifying information to target advertising profiles, with the user being re-directed to an advertisement of a particular advertiser based on such a comparison. When this limitation was brought to the Examiner's attention in response to the initial rejection of the claims, the Examiner replied that "Dedrick discloses comparing identifying information of the user to the target advertising profiles (col 2, lines 1-20; col 1, lines 45-58)...." See Final Office Action dated December 19, 2003 at p. 9, lines 11-12. However, this is an inaccurate characterization of the '521 Patent. Rather, Dedrick describes a "consumer matching process" that is designed to assign a value to the group of end users an advertiser is given access to. As will become clearer in the discussion that follows, this process is quite different and distinct from

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the comparison function of the present invention in which an individual user (i.e., an entering sweepstakes player) is directed to an advertisement based on certain identifying information associated with the user.

Furthermore, although the Examiner has asserted that "Dedrick discloses playing games," the only reference to a "game" contained in the '521 Patent is that the client system 12 (Figure 1) or the client interface 23 (Figure 2) that connects to the network may be a personal computer, a television set, or a game machine. In other words, the '521 Patent clarifies that the advertisements may be displayed on not only a personal computer, but also a television set or a game machine that is connected to the network. However, it certainly does not teach or suggest the integration of the matching process into a sweepstakes promotion and/or sales system.

II.   THE PRESENT INVENTION

The present invention is a system, preferably implemented through an Internet web site, that allows registered users to enter sweepstakes contests for various prizes, each of said prizes being offered by prize presenters registered with the system. Upon entry of a particular sweepstakes, the sweepstakes player is re-directed to an advertisement based on the demographic information previously entered by the player. Advertisers registered with the system pay for these re-directions. Once a predetermined number of re-directions has occurred, creating a predictable amount of revenue generation for a particular prize, a sweepstakes is conducted to award that prize to a player, and the prize presenter is compensated for offering the prize.

III.   <u>THE REJECTION</u>

The Examiner has rejected claims 1-14 as being unpatentable over Eggleston in view of Dedrick. Specifically, the Examiner generally contends that:

(1)   Eggleston discloses a system for re-directing users of a global information network to specific advertisements resident on said network, wherein said system includes a sweepstakes component, comprising: a first database storing and maintaining identifying information related to a plurality of users, said users having registered with the system and being classified as a sweepstakes player, a prize presenter, or an advertiser (col 10, lines 1-10). <u>See</u> Final Office Action dated December 19, 2003 at pp. 2-3, ¶ 3.

(2)   Eggleston further discloses a second database storing and maintaining information related to a plurality of prizes to be distributed through the sweepstakes component of the system, each of said prizes being associated with a prize presenter registered with the system (col 14, line 65-col 15, line 15); and a third database storing and maintaining target advertising profiles, each of said profiles being associated with an advertiser registered with the system (col 42, lines 35-40). Eggleston further discloses that the sponsor can also be an advertiser (col 34, lines 41-46; col 21, lines 14-18). <u>See</u> Final Office Action dated December 19, 2003 at p. 3, lines 3-9.

(3)   Eggleston further discloses that when a sweepstakes player enters a sweepstakes for a particular prize, the identifying information related to said sweepstakes player stored and maintained in said first database is compared to the target advertising profiles stored and maintained in said third database (col 42, lines 31-

40; col 41, lines 55-65). <u>See</u> Final Office Action dated December 19, 2003 at p. 3, lines 10-13.

(4)   Dedrick discloses playing games (col 2, lines 61-64) and charging for directing a user to advertising (col 2, lines 5-10). <u>See</u> Final Office Action dated December 19, 2003 at p. 4, lines 8-9.

(5)   It would have been obvious to one having ordinary skill in the art at the time the invention was made to add Dedrick's charging for directing advertising to Eggleston's directing user's to advertisements. One would have been motivated to do this because it is targeted users are of interest to advertisers. <u>See</u> Final Office Action dated December 19, 2003 at p. 4, lines 10-13.

(6)   Eggleston further discloses distributing a particular prize once a predetermined threshold is met (col 30, line 65-col 31, line 5). Eggleston further discloses that prizes cost money (col 15, lines 6-15). Eggleston further discloses tracking sponsor expenses (col 39, lines 40-51). <u>See</u> Final Office Action dated December 19, 2003 at p. 4, lines 16-19.

(7)   In light of Eggleston being able to charge for directing advertising as disclosed above, it would have been obvious to Eggleston to offer the prize once the cost of the prize has been satisfied. One would have been motivated to do this so that the sponsor can assure that their expenses are well maintained. <u>See</u> Final Office Action dated December 19, 2003 at p. 4, line 20 – page 5, line 2.

Although Applicant does not agree with many of the Examiner's conclusions (as is further explained below), the Examiner contends that it would be obvious to one of ordinary skill of the

art to combine the teachings of these references and arrive at the invention recited in claims 1-14 of the present application.

Appellant disagrees.

IV. THE INVENTION RECITED IN CLAIMS 1-14 OF THE PATENT APPLICATION IS NOT OBVIOUS IN VIEW OF THE PRIOR ART.

A. A Combination of the Teachings of the Eggleston and Dedrick References Would Not Result in the Invention Recited in Claims 1-14 of the Present Application

As the Examiner recognized, the combination of the Eggleston and Dedrick references is essentially considered a single prior art reference in examining each claim. See Final Office Action dated December 19, 2003 at p. 8, lines 17-22. Nevertheless, "the prior art references (or references when combined) must teach or suggest all of the claims limitations." MPEP § 706.02(j) (emphasis added).

Referring to the independent claims of the present application, claim 1 is the first independent claim and recites:

1. A system for re-directing users of a global information network to specific advertisements resident on said network, wherein said system includes a sweepstakes component, comprising:

a first database storing and maintaining identifying information related to a plurality of users, said users having registered with the system and being classified as a sweepstakes player, a prize presenter, or an advertiser;

a second database storing and maintaining information related to a plurality of prizes to be distributed through the sweepstakes component of the

system, each of said prizes being associated with a prize presenter registered with the system; and

a third database storing and maintaining target advertising profiles, each of said profiles being associated with an advertiser registered with the system;

wherein when a sweepstakes player enters a sweepstakes for a particular prize, the identifying information related to said sweepstakes player stored and maintained in said first database is compared to the target advertising profiles stored and maintained in said third database, and said user is directed to a specific advertisement of a particular advertiser registered with the system based on said comparison;

wherein said particular advertiser pays a predetermined amount for the directing of said sweepstakes player to the specific advertisement; and

wherein said sweepstakes is conducted to distribute the particular prize once a predetermined revenue has been generated by the directing of users to advertisements.

The cited prior art references, individually or in combination, fail to describe such a system. Specifically, as should be clear from the above discussion of the '660 and '521 Patents, neither reference provides for the comparison of "the identifying information related to said sweepstakes player stored and maintained in said first database ...to the target advertising profiles stored and maintained in said third database" such that "said user is directed to a specific advertisement of a particular advertiser registered with the system based on said comparison."

Also, neither reference provides that the "sweepstakes is conducted to distribute the particular prize once a predetermined revenue has been generated by the directing of users to advertisements." These functional steps are important in ensuring that users are efficiently matched with advertisements, such that advertisers are willing to pay for the re-directions and thus provide revenues for the compensation of the prize presenters.

1.   Comparison of Identifying Information to Target Advertising Profiles.

With respect to the step of comparing "the identifying information related to said sweepstakes player stored and maintained in said first database ...to the target advertising profiles stored and maintained in said third database" such that "said user is directed to a specific advertisement of a particular advertiser registered with the system based on said comparison," this comparison ensures that a user selecting a particular prize and entering the sweepstakes for that prize is appropriately matched with an advertiser, an advertiser who is willing to pay for the re-direction. When the absence of this limitation in the cited prior art references was brought to the Examiner's attention in response to the initial Office Action, the Examiner replied that "Dedrick discloses comparing identifying information of the user to the target advertising profiles (col 2, lines 1-20; col 1, lines 45-58)...." See Final Office Action dated December 19, 2003 at p. 9, lines 11-12. This is an inaccurate characterization of the Dedrick disclosure. Rather, Dedrick describes a "consumer matching process" that is designed to assign a value to the group of end users an advertiser is given access to. Perhaps as best described at column 5, lines 14-19 and lines 36-53:

> Thus, the consumer scale provides a mechanism by which a metering server 14
> can determine how valuable the end users coupled to that server 14 are to the
> advertiser 18. The advertiser 18 indicates how much it is willing to pay for access
> to those end users, based on the consumer characteristics of those end users....

For example, the advertiser 18 may select five different consumer variables to associate with a particular advertisement. Then, as part of the consumer threshold scale, the advertiser 18 may select that it will pay the highest fee when at least 60% of the variables are satisfied by at least 75% of the end users coupled to the metering server 14. Thus, in this example, three of the five consumer variables must be associated with 75% of the end users coupled to the metering server 14 in order for the advertiser 18 to pay the highest fee. Alternatively, a minimum number, such as ten end users, may be utilized rather than a percentage for determining how many end users of the metering server 14 must satisfy the 60% of consumer variables requirement in order for the advertiser 18 to pay the highest fee. The advertiser 18 also sets the lowest price it is willing to pay (such as zero dollars) to allow end users with a very poor match (such as 0% of the variables are satisfied) to the consumer scale.

Thus, the system described in the '521 Patent:

allows individual advertisers to pay for access to individual consumers based on how desirable it is to the advertiser to access those consumers. The fee for access to consumers is based on the value the advertiser places on different consumer characteristics which apply to each individual electronic advertisement. Thus, the advertiser pays more for access to consumers it finds highly desirable, and pays less for those consumers it is less interested in.

See column 19, lines 4-12.

However, this is quite different and distinct from the comparison function of the present invention in which an individual user is directed to a particular advertisement based on certain identifying information associated with the user upon entry into a sweepstakes. Referring back to the specific language of claim 1, the comparison is initiated "when a sweepstakes player enters a sweepstakes for a particular prize...." Quite distinctly, Dedrick focuses on and discusses assigning a value to the group of end users, and then pushing advertisements to those users. There is no user-initiated comparison process tied to a sweepstakes described or even contemplated in the '521 Patent.

Furthermore, although Eggleston does recognize that user activities may be logged for subsequent review, it does not describe or suggest any comparison of identifying information for purposes of directed advertising.

In short, neither Dedrick nor Eggleston teach or describe the concept of comparing identifying information associated with a particular user to target advertising profiles upon entry of that user into a sweepstakes, with the user being re-directed to an advertisement of an advertiser based on such a comparison. Thus, regardless of the propriety of combining the references, since neither reference teaches or suggests this claim limitation, the obviousness rejection is improper and should be withdrawn.

Similar to claim 1, each of the remaining independent claims also includes the limitation that there is a comparison of the identifying information to target advertising profiles upon entry of an user into a sweepstakes, with the user being re-directed to an advertisement of a particular advertiser based on such a comparison:

- Claim 10 provides for "comparing identifying information of each of said entering and selecting sweepstakes players with said target advertising profiles and directing each entering and selecting sweepstakes players to a specific advertisement web site based on said comparisons...."

- Claim 11 provides for "the demographic information of the particular sweepstakes player as stored and maintained in the integral user database being compared to the target demographic profiles stored and maintained in the integral profile database...[and] re-directing the particular sweepstakes player to an advertisement of a particular advertiser registered with the system based on said comparison,...."

- Claim 12 provides for "placing each of said players entering said network in communication with a specific advertisement web site of one of said advertisers based upon a match between said information associated with said players entering said network and said demographic profiles...."

- Claim 14 recites a "central control computer further having an advertiser database and matching said stored identifying data with one or more advertisers in said advertiser database when an affirmation is received"... and, "in response to receiving an affirmation from each of said individual user computers, placing each of said individual user computers in communication with the advertising computer of said matched advertiser for the display of an advertisement on said individual user computer, hereinafter referred to as a 're-direction,' said matched advertisers paying a predetermined amount for each such re-direction...."

Accordingly, the obviousness rejections of these claims (and their associated dependent claims) are also improper and should be withdrawn.

2.   Conducting Sweepstakes Once a Predetermined Revenue Has Been Generated.

Furthermore, neither Eggleston nor Dedrick provide that the "sweepstakes is conducted to distribute the particular prize once a predetermined revenue has been generated by the directing of users to advertisements," as required by claim 1. In other words, a particular prize is only distributed once a predetermined threshold has been satisfied. When the absence of this limitation in the cited prior art references was brought to the Examiner's attention in response to the initial Office Action, the Examiner replied that "Eggleston further discloses distributing a particular prize once a predetermined threshold has been met (col 30, line 65 – col 31, line 5)." See Final Office Action dated December 19, 2003 at p. 9, lines 17-18. However, this cited excerpt only discusses an example in which a user is eligible for entry into a sweepstakes upon accumulating a certain number of "loyalty points." As such, the eligibility "threshold" is a user-specific threshold based upon the activities of a particular user. Quite distinctly, the threshold

recited in the claims of the present invention is prize-specific in that a particular prize is distributed only after a certain number of users have been re-directed to revenue-generating advertisements. Referring back to the specific language of claim 1, the sweepstakes is "conducted to distribute the particular prize once a predetermined revenue has been generated by the directing of users to advertisements." In other words, the prizes of the present invention are distributed based on the activities of multiple users and re-direction of those users to various advertisements, not based on the accumulated "loyalty points" of a single user. Again, regardless of the propriety of combining the references, since neither reference teaches or suggests this claim limitation, the obviousness rejection is improper and should be withdrawn.

Furthermore, similar to claim 1, each of the remaining independent claims also includes the limitation that a sweepstakes is conducted to distribute the particular prize once a predetermined revenue has been generated by the directing of multiple users to the matched advertisements:

- Claim 10 includes the step of "randomly selecting one of said entering and selecting sweepstakes players for awarding said selected prize thereto when said revenue equals a predetermined value."

- Claim 11 includes the step of "distributing the particular prize to one of the sweepstakes players that have entered the sweepstakes for the particular prize through a random drawing, said drawing being initiated when the advertising revenue generated through re-direction of sweepstakes players exceeds the selling price established by the prize presenter by a predetermined amount."

- Claim 12 provides for "randomly selecting one of said players selecting said prize for an award thereto of said prize when a predetermined value proportional to the

number of times each of said entering players was placed in communication with said specific advertisement web sites has been reached."

- Claim 14 requires "continuously counting the number of re-directions; determining the product of said counted re-directions and the predetermined amount assigned to each re-direction as paid by the matched advertisers, closing said sweepstakes contest when said product equals said established value, and randomly selecting one of said users associated with a communicated affirmation for award of said item."

In summary, as should be clear from the above discussion, neither the '660 Patent nor the '521 Patent provide for (1) the comparison of the identifying information of an entering sweepstakes player to target advertising profiles, with the sweepstakes player being re-directed to an advertisement of a particular advertiser based on such a comparison, and/or (2) conducting a sweepstakes to distribute the particular prize once a predetermined revenue has been generated by the directing of multiple users to the matches advertisements.

V. CONCLUSION

Regardless of the propriety of combining the Dedrick and Eggleston references, since neither reference teaches or suggests certain specific claims limitations, the obviousness rejections are improper and should be withdrawn.

First, neither Dedrick nor Eggleston teach or describe the concept of comparing identifying information associated with a particular user to target advertising profiles upon entry of that user into a sweepstakes, with the user being re-directed to an advertisement of an

advertiser based on such a comparison. Dedrick describes only a "consumer matching process" that is designed to assign a value to the group of end users an advertiser is given access to. Once a value is assigned to the group of end users, advertisements are pushed to those users. There is no user-initiated comparison process tied to a sweepstakes described or even contemplated in the cited prior art references.

Secondly, neither Dedrick nor Eggleston teach or describe a system in which a sweepstakes is conducted to distribute a particular prize once a predetermined revenue has been generated by the directing of users to advertisements. Eggleston only discusses an example in which a user is eligible for entry into a sweepstakes upon accumulating a certain number of "loyalty points." As such, the eligibility "threshold" is a user-specific threshold based upon the activities of a particular user. Quite distinctly, the prizes of the present invention are distributed based on the activities of multiple users and re-direction of those users to various advertisements.

Therefore, Appellant respectfully that this Board overrule and withdraw the rejection of claims 1-14 as being obvious under 35 U.S.C. § 103, and that each of these claims be allowed as presented.

Respectfully submitted,

David W. Nagle, Jr.
Reg. No. 42,923
STITES & HARBISON, PLLC
400 W. Market Street
Louisville, Kentucky 40202-3352
Telephone (502) 587-3400
Facsimile (502) 587-6391

APPENDIX

1.   A system for re-directing users of a global information network to specific advertisements resident on said network, wherein said system includes a sweepstakes component, comprising:

a first database storing and maintaining identifying information related to a plurality of users, said users having registered with the system and being classified as a sweepstakes player, a prize presenter, or an advertiser;

a second database storing and maintaining information related to a plurality of prizes to be distributed through the sweepstakes component of the system, each of said prizes being associated with a prize presenter registered with the system; and

a third database storing and maintaining target advertising profiles, each of said profiles being associated with an advertiser registered with the system;

wherein when a sweepstakes player enters a sweepstakes for a particular prize, the identifying information related to said sweepstakes player stored and maintained in said first database is compared to the target advertising profiles stored and maintained in said third database, and said user is directed to a specific advertisement of a particular advertiser registered with the system based on said comparison;

wherein said particular advertiser pays a predetermined amount for the directing of said sweepstakes player to the specific advertisement; and

wherein said sweepstakes is conducted to distribute the particular prize once a predetermined revenue has been generated by the directing of users to advertisements.

2. A system as recited in claim 1, wherein said databases are maintained and accessed by a central control computer integrally connected to said global information network.

3. A system as recited in claim 1, wherein said global information network is the World Wide Web portion of the global Internet.

4. A system as recited in claim 3, wherein said system is accessed by users through an Internet browser.

5. A system as recited in claim 1, wherein the identifying information associated with each sweepstakes player comprises a plurality of discreet demographic descriptors.

6. A system as recited in claim 5, wherein said advertising profiles are defined by a plurality of discreet demographic descriptors.

7. A system as recited in claim 6, wherein the comparison of the identifying information related to each said sweepstakes player to each said target advertising profile is carried out through a comparison of the discreet demographic descriptors.

8. A system as recited in claim 1, wherein a selling price for each of said prizes is established by the associated prize presenter.

9.   A system as recited in claim 8, wherein said predetermined revenue required for distribution of each said prize is greater that the established selling price of each said prize.

10.   A system incorporating a sweepstakes component for directing Internet traffic to web sites having specific advertisements resident thereon, and generating revenue based upon the number of users directed to said web sites, comprising:

a central station storing (a) identifying information related to a plurality of registered users, each of said users being classified as a sweepstakes player, a prize presenter, or an advertiser, (b) a list of prizes and information related thereto each associated with a registered prize presenter, and (c) a plurality of target advertising profiles each associated with a registered advertiser; and

a plurality of advertisement web sites each associated with one of said registered advertisers and a particular advertising profile;

said central station, in response to each of said sweepstakes players entering into said system and selecting one of said prizes from the list, (a) comparing identifying information of each of said entering and selecting sweepstakes players with said target advertising profiles and directing each entering and selecting sweepstakes players to a specific advertisement web site based on said comparisons, (b) determining revenue due from each registered advertiser in proportion to the number of times a specific advertisement web site associated with said registered advertiser was visited by entering and selecting sweepstakes players, and (c) randomly selecting one of said entering and selecting sweepstakes players for awarding said selected prize thereto when said revenue equals a predetermined value.

11. A method for re-directing users of a global information network to specific advertisements resident on said network, wherein said method includes a sweepstakes component, comprising the steps of:

registering a plurality of sweepstakes players, each of said players providing demographic information in response to a series of inquiries, said demographic information being stored and maintained in an integral user database;

registering a plurality of prize presenters, each of said prize presenters providing identifying information that is stored and maintained in said integral user database, and each of said prize presenters registering one or more prizes for distribution through the sweepstakes component of the system, the selling price of each prize being established by the prize presenter, and the selling price and identifying information associated with each prize being stored and maintained in an integral prize database;

registering a plurality of advertisers, each of said advertisers providing identifying information that is stored and maintained in said integral user database, and each of said advertisers registering one or more target demographic profiles that are stored and maintained in an integral profile database;

providing a means for a particular sweepstakes player to enter a sweepstakes for a particular prize registered with the system, upon entry into said sweepstakes, the demographic information of the particular sweepstakes player as stored and maintained in the integral user database being compared to the target demographic profiles stored and maintained in the integral profile database;

re-directing the particular sweepstakes player to an advertisement of a particular advertiser registered with the system based on said comparison, said particular advertiser paying a predetermined amount for the re-direction of said sweepstakes player to the advertisement; and

distributing the particular prize to one of the sweepstakes players that have entered the sweepstakes for the particular prize through a random drawing, said drawing being initiated when the advertising revenue generated through re-direction of sweepstakes players exceeds the selling price established by the prize presenter by a predetermined amount.

12.   A method for causing increased viewing of advertisements displayed on web sites of a global information network using a sweepstakes contest, comprising the steps of:

storing a list of prizes to be awarded a winner of a sweepstakes contest and displaying information pertaining to each prize on said global information network;

storing a list of sweepstakes players and information associated with each of said players;

storing a list of advertisers and demographic profiles associated with each of said advertisers;

receiving a selection of a prize from said list of prizes from each of said players entering the global information network and comparing said information associated with each of said players with said demographic profiles;

placing each of said players entering said network in communication with a specific advertisement web site of one of said advertisers based upon a match between said

information associated with said players entering said network and said demographic profiles; and

randomly selecting one of said players selecting said prize for an award thereto of said prize when a predetermined value proportional to the number of times each of said entering players was placed in communication with said specific advertisement web sites has been reached.

13. A method as recited in claim 12, in which a predetermined sum is a paid to a presenter of said awarded prize.

14. A network for the display of an item for sale, said network utilizing a sweepstakes contest for the sale of said item, including:

a multiplicity of individual user computers for displaying said item, each of said computers adapted to receive an individual user's affirmation to enter the sweepstakes contest associated with said item, each of said individual users having inputted specific identifying data;

a central control computer for receiving and storing said identifying data, establishing a value for said item marked up from a price provided by a seller of said item, and transmitting the display of said item to said individual user computers, said central control computer further having an advertiser database and matching said stored identifying data with one or more advertisers in said advertiser database when an affirmation is received; and

a plurality of advertising computers for storing and communicating advertisements;

wherein said central control computer,

in response to receiving an affirmation from each of said individual user computers, placing each of said individual user computers in communication with the advertising computer of said matched advertiser for the display of an advertisement on said individual user computer, hereinafter referred to as a "re-direction," said matched advertisers paying a predetermined amount for each such re-direction;

continuously counting the number of re-directions;

determining the product of said counted re-directions and the predetermined amount assigned to each re-direction as paid by the matched advertisers,

closing said sweepstakes contest when said product equals said established value, and

randomly selecting one of said users associated with a communicated affirmation for award of said item.